

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LOREN OWENS,

Plaintiff,

Case No. 1:24-CV-00547

Hon. Jane M. Beckering

v

**ADROIT HEALTH GROUP, LLC d/b/a
STRATA HEALTH GROUP & ADROIT
INSURANCE SOLUTIONS LLC,
AMERICAN BUSINESS ASSOCIATION,
TYLER LONG, AND WESLEY CUNHA,
DOES 1-133,**

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Group, LLC*

**PLAINTIFF'S FIRST MOTION
TO EXTEND TIME TO SERVE DEFENDANTS, DOES 1-133**

INTRODUCTION

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff Loren J. Owens ("Plaintiff"), moves for entry of an order extending the time within which to effectuate service on John Doe Defendants 1-133, and States;

Rule 4(m) of the Federal Rules of Civil Procedure provides that the summons and complaint shall be served on the defendant within 90 days after filing of the complaint. If the deadline is not met, the Rule allows for the Court to direct that service be effected within a specified time. A complaint in this action was filed on May 24, 2024. Under Rule 4(m), the deadline to serve the Defendant is August 22, 2024.

Plaintiffs respectfully request an extension of time in which to serve the Defendants. Plaintiffs make this request in good faith and have good cause for the relief they seek. Plaintiffs have made multiple diligent attempts to identify and serve Defendants.

1. This is a Telephone Consumer Protection Act case against multiple parties, including Doe Defendants 1-133, known only by phone numbers; Doe Defendants 1-133 true identity is known by their Telephone Service Provider.
2. On May 24, 2024, this court accepted a multicount complaint for filing. Summonses were issued back for service on May 29, 2024.
3. Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on the Defendant no later than August 22, 2024
4. Efforts to identify Defendants 1-133 through means without the use of discovery tools have failed. The plaintiff will be filing a motion to seek discovery prior to rule 26(f) conference on Doe Defendants 1-133 Telephone Service Provider
5. Due to difficulty in locating some of the defendants, service has not been effectuated.
6. Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on Defendant be extended an additional ninety (90) days. and thus the deadline to effect service be extended to November 22, 2024. This extension should allow Plaintiff sufficient time to conclude its investigation, amend the complaint and place for service with the process server.
7. This motion is made in good faith and not for the purpose of undue delay
8. Good cause, therefore, exists to extend the time limit for the server an additional 90 days.
9. This is the Plaintiffs first request for an extension. None of the parties will be prejudiced by granting of this extension.

WHEREFORE, for the reason stated above, Plaintiff requests that the period to serve the defendants be extended for an additional 90 days. A proposed order is attached for the Court's convenience.

Dated: August 20, 2024

Respectfully submitted,
By: /s/ Joshua S. Goodrich, J.D., LL.M.
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 21th day of August 2024, a copy of the foregoing PLAINTIFF FIRST MOTION TO EXTEND TIME TO SERVE DEFENDANTS DOES 1-133 was filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record.

By: /s/ Joshua S. Goodrich, J.D., LL.M.
JOSHUA S. GOODRICH, J.D., LL.M.